

Introduced by Senator Aanestad

February 23, 2006

An act to amend Section 1572 of the Health and Safety Code, relating to adult day health care.

LEGISLATIVE COUNSEL'S DIGEST

SB 1517, as introduced, Aanestad. Adult day health care: licensure.

Existing law provides for the licensure of adult day health centers by the State Department of Health Services, and for the regulation of adult day health care programs by the State Department of Health Services and the California Department of Aging, as specified. Existing law requires the Director of the California Department of Aging to make recommendations regarding licensure to the Licensing and Certification Division in the State Department of Health Services based on certain criteria.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1572 of the Health and Safety Code is
- 2 amended to read:
- 3 1572. (a) The functions and duties of the State Department of
- 4 Health Services provided for under this chapter shall be
- 5 performed by the California Department of Aging commencing
- 6 on the date those functions are transferred from the State
- 7 Department of Health Services to the California Department of
- 8 Aging. The authority, functions, and responsibility for the

1 administration of the adult day health care program by the
2 California Department of Aging and the State Department of
3 Health Services shall be defined in an interagency agreement
4 between the two departments that specifies how the departments
5 will work together.

6 (b) The interagency agreement shall specify that the California
7 Department of Aging is designated by the department as the
8 agency responsible for community long-term care programs. At a
9 minimum, the interagency agreement shall clarify each
10 department's responsibilities on issues involving licensure and
11 certification of adult day health care providers, payment of adult
12 day health care claims, prior authorization of services,
13 promulgation of regulations, and development of adult day health
14 care Medi-Cal rates. In addition, this agreement shall specify that
15 the California Department of Aging is responsible for making
16 recommendations to the department regarding licensure as
17 specified in subdivision (c). The interagency agreement shall
18 specify that the department shall delegate to the California
19 Department of Aging the responsibility of performing the
20 financial reviews and the resolution of audit appeals that are
21 necessary to ensure program integrity. The agreement shall
22 specify that the financial reviews shall be performed only to the
23 extent that resources are budgeted for this purpose. This
24 agreement shall also include provisions whereby the department
25 and the California Department of Aging shall collaborate in the
26 development and implementation of health programs and
27 services for older persons and functionally impaired adults.

28 (c) The Director of the California Department of Aging shall
29 make recommendations regarding licensure to the Licensing and
30 Certification Division in the State Department of Health
31 Services. ~~The~~ *Each* recommendation shall be based on all of the
32 following criteria:

33 (1) An evaluation of the ability of the applicant to provide
34 adult day health care in accordance with the requirements of this
35 chapter and regulations adopted hereunder.

36 (2) Other criteria that the director deems necessary to protect
37 public health and safety.